

VZCZCXYZ0009
PP RUEHWEB

DE RUEHTU #1044/01 2150828
ZNY CCCCC ZZH
P 030828Z AUG 07
FM AMEMBASSY TUNIS
TO RUEHC/SECSTATE WASHDC PRIORITY 3610
INFO RUCNMGH/MAGHREB COLLECTIVE PRIORITY
RUEHLO/AMEMBASSY LONDON PRIORITY 1334
RUEHFR/AMEMBASSY PARIS PRIORITY 1807

C O N F I D E N T I A L TUNIS 001044

SIPDIS

SIPDIS

DEPARTMENT FOR NEA/FO (GRAY AND CARPENTER)
NEA/MAG (HOPKINS/HARRIS); NEA/PI; DRL
LONDON AND PARIS FOR NEA WATCHER

E.O. 12958: DECL: 07/31/2017
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [PTER](#) [KPAO](#) [KDEM](#) [TS](#)
SUBJECT: MOHAMED ABBOU TO CONTINUE ACTIVISM FOR FREEDOM IN
TUNISIA

REF: A. TUNIS 986
[B](#). TUNIS 293
[C](#). TUNIS 708
[D](#). TUNIS 404

Classified By: Ambassador Robert F. Godec for reasons 1.4 b and d.

Summary

[1](#). (C) On July 31, EmbOffs met with Mohamed Abbou, a political prisoner released on July 24 after serving over two years of a three-and-a-half year sentence. He and his wife Samia expressed their appreciation for USG support of them and their family during Abbou's incarceration. Abbou discussed his plans, which include continued activism on behalf of freedom of expression, a return to his legal practice and work on his PhD dissertation on the press. Abbou also critiqued Tunisia's judicial and prison systems. End summary.

Background

[2](#). (C) Mohamed Abbou was convicted of defaming the judiciary and posing a threat to public order in 2005, and sentenced to three-and-a-half years in prison. Abbou was arrested after he posted two online articles that were critical of President Ben Ali. The articles compared Ben Ali to then-Israeli Prime Minister Sharon, and likened Tunisian prisons to Abu Ghraib. During his incarceration in El Kef prison, his wife Samia Abbou was subject to regular police harassment and surveillance (Refs B and C); Abbou engaged in hunger strikes to protest his conviction and prison conditions. He was released without conditions on July 24 (Ref A).

[3](#). (C) Tunisian pardons for political prisoners typically occur on major national holidays. When no prisoners were released on Tunisian Independence Day in March (Ref D), civil society surmised that the GOT did not want to be perceived as giving into external pressure, since there had been many calls for Abbou's release on the March 1 two-year anniversary of his imprisonment (Note: The USG was among those who publicly called for Abbou's release. End Note). Abbou opined that his release was due to diplomatic pressure, but added that the timing had been calculated by the GOT to suggest otherwise.

A Welcome Surprise

¶4. (C) Abbou told EmbOffs that though he received no prior notice about his release, he did receive an unsolicited visit by an attorney about a week before his eventual release. This was Abbou's first visit from an attorney in over two years; his own attorney had been denied access. Unlike all of Abbou's other visits, this meeting was not monitored by prison officials, which Abbou took to mean that the lawyer was sent by the GOT. The attorney suggested that Abbou hand-write a plea for early release. Abbou refused to agree to any statement that indicated remorse for his actions, which he maintains were not criminal. In the end, Abbou signed a statement that the attorney wrote asking for early release based on his status as head of household and medical grounds.

¶5. (C) A prison official told Abbou on July 24 he was being released, and waited in his cell while Abbou gathered his things. Abbou called his mother-in-law to obtain his wife's number (N.B. Samia Abbou routinely changes her cell phone number due to police harassment and surveillance), and told Samia he was taking a shared taxi home that evening. Samia Abbou described his homecoming as "the gift of a lifetime," and was clearly overjoyed to have her family reunited. Both Abbous noted that there has been a consistent presence of plainclothes policemen outside their home since Abbou's release, but said that as long as police do not harass them or their children they could tolerate the surveillance.

Prison Conditions

¶6. (C) Abbou said he was kept in solitary confinement for most of his incarceration. When walking down a hallway, Abbou said prison guards made other prisoners stand and face the wall so he could not communicate with them. On occasion, he would be given a temporary cell-mate, but Abbou felt that these cell-mates were GOT moles. Abbou said he never witnessed any torture at El Kef prison, but he did hear "the sounds of torture." These sounds stopped between October 2006 and March 2007. Without going into further detail, he attributed the apparent cessation of torture to political pressure.

No Freedom of Association

¶7. (C) Turning to freedom of association, Abbou expressed his hope that civil society would one day be able to meet freely. He opined that the laws regarding freedom of association and expression are acceptable, but the GOT operates outside the law to suppress these rights. Abbou said the GOT attempts to replace the leadership of independent organizations, blocks their registration, and harasses them. He brought up several associations, including the CNLT, as examples of groups that have tried to register with the GOT but were stymied. (Note: A common tactic GOT delaying tactic is to not issue a receipt when would-be associations file their registration documents. An organization is considered automatically registered three months after their petition is filed unless the GOT denies their application within that period. The three months begins from the date of their receipt, given as proof of their application having been filed. If no receipt is issued, the petition can remain indefinitely on hold. End note.)

Looking Forward

¶8. (C) Asked about his future plans, Abbou was enthusiastic

about returning to his law practice. His specialty is freedom of the press, though he also alluded to examining cases of people accused of terrorism. Abbou explained that his time in prison had given him a new understanding of prisoners, rights and political prisoners; it is these people he would like to help through his law practice. Abbou is also working on a doctorate, though ninety pages of his thesis on freedom of the press were confiscated by prison officials. He has registered a complaint with the prison, but is not optimistic his papers will be returned.

Cowardly Jihadists

¶9. (C) Abbou, an attorney, indicated he had in the past reviewed cases of Tunisians accused of terrorism. In his opinion, Tunisians are pushed towards violent extremism abroad due to a lack of political space in Tunisia. He was somewhat disparaging of people who "lack (the) courage" to stand up to the GOT or serve time in Tunisian prisons, but are "willing to (blow themselves up) in Iraq." He highlighted one case where the defendant wanted to become a "jihadist" in Iraq, but was unable to cross the Syrian border. Having returned to Tunisia, the would-be jihadist was sentenced to eight years in prison on terrorism-related charges. Abbou said that, according to the defendant, if the defendant had known he was going to spend eight years in a Tunisian prison, he would have killed himself rather than return.

The Politics of Critiquing Israel

¶10. (C) Though Abbou has been publicly critical of Israeli policies, he qualified that his statements had been made "as a politician," explaining that he has to cater to his constituency. (Note: Abbou is a member of the unregistered opposition party Congress for the Republic. End note.) On the situation in the Middle East, he said he believes Israel and the Palestinian Territories should be two separate states. He opined that as sovereign nations, the two states could have a cooperative relationship because of their shared

history and economic ties. Abbou speculated that those who focus exclusively on criticizing USG actions in the Middle East are probably afraid of discussing domestic issues and are trying to deflect criticism from the GOT and the Tunisian public.

Appreciation

¶11. (C) Samia and Mohamed Abbou both thanked EmbOffs for USG assistance during Abbou's incarceration. While Samia Abbou mentioned that some people had questioned the USG's contribution to human rights promotion in Tunisia, she said, "I know what they have done for me." The Abbous mentioned public statements, moral support, frequent visits by EmbOffs, and the Embassy's interventions with the GOT over allegations of harassment and prison conditions. Samia said that harassment lessened after the Embassy raised the issue with GOT officials. Abbou was open to the idea of attending Embassy events and speaking about his experience, and said he would appreciate the opportunity to personally thank the Ambassador for USG support. They also acknowledged the efforts and support of the European Union, the European Parliament, and other embassies such as the British, German, and the Dutch. Abbou mentioned that he would make calls on the embassies to thank them personally, but, though others had phoned their congratulations, the Americans were, thus far, the only diplomats to visit personally.

Comment

¶12. (C) As a whole, attorneys in Tunisia are one of the most active independent civil society groups pressing for human rights and civil liberties. While in prison, Abbou was a cause celebre for the international human rights community, highlighting the disparity between GOT rhetoric on human rights and its actions. With his release, Abbou could potentially be a standard-bearer for freedom of expression. Abbou vowed to be just as active as he was before his incarceration, and his recent appearances on several pan-Arab satellite TV channels lead us to believe he means what he says. End comment.
GODEC